

APPROVED: Meeting No. 50-89

ATTEST: *Sharon A. Gran*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 46-89

October 30, 1989

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, Maryland Avenue at Vinson Street, Rockville, Maryland, on October 30, 1989, at 7:30 p.m.

PRESENT

Mayor Douglas M. Duncan

Councilmember Steve Abrams

Councilmember James Coyle

Councilmember Viola Hovsepian

Councilmember David Robbins

In attendance: City Manager Bruce Romer, City Clerk Sharon Gran and City Attorney Paul Glasgow.

Re: City Manager's Report

1. The printed copies of the final adopted CIP for FY 1990 are available for anyone interested.

2. One of the goals of the current fiscal year budget is to expand the cable TV operation. On election night, beginning at 9:00 p.m. on Channel 53, the City will be providing a significant amount of live coverage. In addition to announcement of the election results, the program, expected to conclude at approximately 10:00 p.m., will include on-air interviews. Videotext of the election results will be displayed the rest of the night.

Re: Proclamation declaring the week
of November 5-11, 1989, as Key
Club Week.

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Proclamation No. 25-89

By a unanimous vote of the Mayor and Council, November 5-11, 1989, was declared "Key Club Week" in Rockville. Councilmember Robbins read the Proclamation, the full text of which can be found in Proclamation File No. 4 of the Mayor and Council. Key Club International, a high school service organization sponsored by Kiwanis International, prepares teenagers to become more responsible citizens as they provide meaningful service to their communities. Dr. Thomas Quelet, Principal, and key club officers of Richard Montgomery High School accepted the Proclamation.

Re: Presentation to Board of Education and Montgomery County of framed work of art by Judy Byron, the original of which has been dedicated to the Lincoln Park Community Center.

Artist Judy Byron provided some background regarding the woodcut triptych which she recently completed for the Lincoln Park Community Center commissioned through the City's Art in Public Places program. The two prints being presented to the Board of Education and Montgomery County Government are copies of the center panel of the triptych. Russ Hamill, Assistant Chief Administrative Officer, on behalf of Montgomery County, and Richard Pioli, Director of Aesthetic Education, on behalf of the Board of Education, received the works of art.

Re: Proclamation declaring the week of November 19-26, 1989, as "Rockville Bible Week."

Proclamation No. 26-89

By a unanimous vote of the Mayor and Council, November 19-26, 1989, was declared "Rockville Bible Week." Councilmember Coyle read the Proclamation, the full text of which can be found in Proclamation File No. 4 of the Mayor and Council. The 1989

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theme for National Bible Week is "TO KNOW WHERE YOU'RE GOING, READ THE BIBLE." Ronald D. Knoll, Chairman of the Spiritual Aims Committee of the Kiwanis Club of Rockville, accepted the Proclamation.

Re: Recognition of Sister Maribeth
Tobin, R.S.C.J.

Councilmember Hovsepien noted the contributions of Sister Maribeth Tobin to the frail and elderly community through her work with Community Ministries of Rockville for the past several years. Rev. Mansfield Kaseman of Community Ministries praised Sister Maribeth Tobin's 50 years of community service, noting that she is continuing this service and is accepting a new post in St. Louis. The Mayor and Council presented Sister Maribeth Tobin with a Certificate of Recognition for her service to the Rockville community.

Re: Citizens' Forum

At this time, the Mayor opened the meeting to hear from any citizen who wished to address the Mayor and Council.

1. Harry Thomas, 1121 Lewis Avenue, presented the Mayor and Council with a color photograph of old town Rockville circa 1940.

2. Leah Barnett, 19 Orchard Way North, addressed two issues, the first being an objection to additional facilities at the Detention Center site on Seven Locks Road. She expressed hope that the Mayor and Council would watch their side of 270. She noted that the Planning Commission had considered last week the approval of a use permit for the County to construct more facilities on the same site, i.e., a garage to house two command buses and a special tactical unit.

Following discussion which included Assistant Chief Administrative Officer Russ Hamill from Montgomery County, it was clarified that the Citizens Advisory Committee was involved in the process and that the special exception requested by the County was

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not for the same site as the Detention Center. Mr. Hamill further clarified that the command buses to be located on the Seven Locks Road site would not be operating in an emergency mode and would move as quietly as possible through the area.

Mrs. Barnett's second issue concerned the travel policy on the evening's agenda. She requested that the Mayor and Council delay adoption of the policy in order that interested citizens would have an opportunity to become involved.

3. John Tyner, President of Twinbrook Citizens Association, advised the Mayor and Council that the North Bethesda-Garrett Park Citizens Advisory Committee has met twice and will be meeting in the near future with Dick Tustian. This group is taking a look at a complete revision of the 1970 Master Plan of North Bethesda.

There being no other citizen wishing to be heard, the Mayor closed the Citizens' Forum portion of the meeting.

Re: Consent Agenda

Upon motion of Councilmember Coyle, duly seconded and unanimously passed, the following Consent Agenda Items were approved:

- A: Award of Bid No. 28-90 from Mid-Atlantic Waste Systems, Easton, Maryland, for the purchase of two 35,000 GVW Truck Chassis with Refuse Compactor bodies for the low bid of \$96,974.

This purchase will provide two replacement vehicles for refuse collection.

- B. Award of Bid No. 25-90 for the purchase of eight police cruisers from Criswell Chevrolet, Gaithersburg, Maryland, for the low bid of \$105,493.60.

This purchase will provide seven replacements and one additional unit for the Police Department.

- C. Award of Bid No. 27-90 for the purchase of 14 four-door sedans from Rockmont Motor Co. for the low bid of \$129,367.28

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These 14 sedans are the standard Rockville city sedans for general use in all departments.

Councilmember Hovsepien noted that all of the above items came in below budget.

Re: Adoption of Resolution to adopt a Travel and Business Meals Expense Policy.

Councilmember Abrams requested removal of this resolution (Item D.) from the Consent Agenda for purposes of discussion and suggested modifications. Councilmember Abrams requested that the language be modified to specify approval by the Mayor and Council for all international travel so that there is adequate disclosure to the public. Mayor Duncan commented that he had asked that there be prior approval of all travel and that the proposed resolution represented a compromise. Discussion ensued regarding ease of handling travel requests, the public's right to know when and why the Mayor and Council travel and reports on travel by the Mayor and Council in open session.

The City Manager was requested to revise the policy and to apprise the Mayor and Council of the changes before the resolution is reintroduced.

Re: Adoption of Ordinance to revise and amend Ordinance No. 17-89, appropriating funds and levying taxes for FY1990.

Ordinance No. 28-89

Each fall, the Appropriation Ordinance is amended to reflect encumbrances of funds from the prior fiscal year and funds for approved projects which could not be carried out due to circumstances beyond the control of the requesting department. The total increase in the ordinance is \$587,149.

Upon motion of Councilmember Abrams, duly seconded and unanimously passed, Ordinance No. 28-89, the full text of which can be found in Ordinance Book No. 15 of the Mayor and Council, was adopted to revise and amend Ordinance No. 17-89, appropriating funds and levying taxes for FY1990.

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Re: Adoption of Ordinance to grant
Sectional Map Amendment
Application M-55-89, Rockville
Planning Commission, Applicant.

Ordinance No. 29-89

This is a comprehensive zoning map amendment to implement land use and zoning recommendations contained in the Adopted West End-Woodley Gardens East\West Neighborhood Plan.

Councilmember Abrams voiced his continuing concern and objection to the recommendation of residential zoning for 14 and 16 Beall Avenue and the removal of these two properties from the transitional district. Upon motion of Councilmember Coyle, duly seconded and unanimously passed, Ordinance No. 29-89, the full text of which can be found in Ordinance Book No. 15 of the Mayor and Council, was adopted to grant Sectional Map Amendment Application M-55-89, Rockville Planning Commission, Applicant.

Re: Adoption of Ordinance to grant
Text Amendment Application T-
96-89, Rockville Planning
Commission, Applicant.

Ordinance No. 30-89

This application proposes to amend the definitions, tables of uses and special exception requirements to permit housing for the elderly and physically handicapped persons in the O-1 and O-2 zones.

Upon motion of Councilmember Hovsepian, duly seconded and unanimously passed, Ordinance No. 30-89, the full text of which can be found in Ordinance Book No. 15 of the Mayor and Council, was adopted to grant Text Amendment Application T-96-89, Rockville Planning Commission, Applicant.

Re: Adoption of Ordinance to grant
Application to Close and
Abandon Public Way, SCA-57-
89, George Thomassen,
Applicant.

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Ordinance No. 31-89

This application proposes abandonment of a public right-of-way for Congress Street (unimproved) located south of the Thomassen Lincoln/Mercury dealership at 1125 Rockville Pike. The applicant has withdrawn his request to abandon that portion of the right-of-way adjacent to the Thomassen-Lincoln Mercury dealership; thus, the ordinance proposes abandonment of only that portion of the right-of-way adjacent to Woodmont Spring residential condominium.

Upon motion of Councilmember Abrams, duly seconded and unanimously passed, Ordinance No. 31-89, the full text of which can be found in Ordinance Book No. 15 of the Mayor and Council, was adopted to close and abandon 22,422 square feet of the dedicated right-of-way known as Congress Street.

Re: FYI/Correspondence

Councilmember Abrams addressed the City Vehicle Use Policy, noting that, as discussed during the last meeting, he has drafted guidelines for introduction and discussion under New Business.

Re: New Business

Councilmember Abrams stated that the County is embarking on a new drug free zone sign program at the County limits and that he had mentioned to the County Executive that Rockville might be willing to cooperate in this venture. Staff was asked to review this issue.

Regarding the Quarterly Rent Increase Report, Councilmember Abrams commented that he has received complaints from residents of Congressional Towers who had participated in the Polinger voluntary rent reduction for certain qualified seniors and others. He indicated that staff should contact Polinger to see if they would be willing to take a more humane approach and, secondly, staff could take an active role and review the circumstances of those previously in the program.

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Councilmember Abrams distributed copies of his guidelines for use of City vehicles, noting that he had tried to reflect the rationale employed when a City vehicle for the Mayor and Council was originally authorized. Following discussion, staff was asked to review Councilmember Abrams' recommendations and draft guidelines for introduction to the Mayor and Council at a future meeting.

Councilmember Robbins expressed his appreciation to the Mayor and the City staff for their support.

Regarding New Mark Commons, Mayor Duncan requested information concerning the establishment of a working group to look at duplicate taxation and what services the City should provide. The City Manager noted that the working group has not yet been formalized but they will be moving forward with it very quickly.

Regarding the race which took place in the College Gardens neighborhood on October 29, Mayor Duncan stated that no one had notified the residents that they would be blocked from getting back into their neighborhoods and that the City owed them an apology and assurances that it would not happen again. Councilmember Hovsepian commented on other races, particularly the annual 10K Run, and expressed hope that whoever is in charge will insure that residents are properly notified of which streets will be blocked.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 9:07 p.m., to convene again in General Session at 8:30 p.m. on November 20, 1989, or at the call of the Mayor.